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Crl.O.P.No.6816 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 6816 of 2025

1.C.Velmurugan
2.A.Chithan
3.C.Anburaj
4.C.Pavayee
5.P.Ajith @ Gnanavel

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
Komarapalayam Police Station,
Namakkal District.
(Crime No.72 of 2025)

Respondent(s)

For Petitioner(s) : Mr.B.Mohan

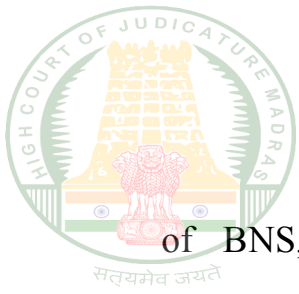
For Respondent(s) : Mr.S.Balaji,
Government Advocate (Criminal Side)

For Intervener : Mr.D.Senthilkumar

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the respondent in Crime No.72 of 2025 on the file of the Respondent.

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 191(2) of BNS, 296(b), 115(2), 76 and 351(3)



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of BNS, in Crime No.72 of 2025, on the file of the respondent Police, seeks
anticipatory bail.

2. The case of the prosecution is that the first petitioner and the defacto complainant are husband and wife; that the second, third, fourth and fifth petitioners are in-laws of the defacto complainant; that there were matrimonial disputes; that on the date of occurrence, there was a wordy quarrel; that the first petitioner abused her in filthy language and assaulted her causing injuries and also threatened her of dire consequences. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the allegations are false; that due to the matrimonial dispute, the petitioners have been falsely implicated in this case; that this Court by order dated 11.03.2025, directed the first petitioner and the defacto complainant to attempt a settlement through the Mediation Centre; that the mediation failed; and that in any case, the custodial interrogation of the petitioners is not required and sought anticipatory bail for the petitioners.



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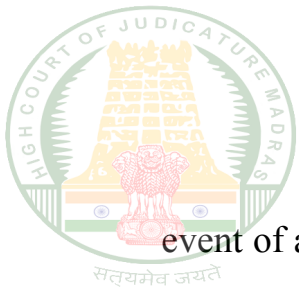
4. Learned counsel for the intervener vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case.

6. Heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

7. Taking note of the facts and circumstances of the case, nature of allegations which reveal matrimonial differences, submissions made by the learned counsel on either side, the relationship between the parties and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the



event of arrest or on their appearance, within a period of fifteen days from the date

on which the order copy made ready, before the learned **Judicial Magistrate,**

Komarapalayam, on condition that the petitioners shall execute a separate bond

for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties each**

for a like sum to the satisfaction of the respondent police or the police officer who

intends to arrest or to the satisfaction of the learned Magistrate concerned, failing

which, the petition for anticipatory bail shall stand dismissed and on further

condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the first petitioner shall appear before the respondent police twice a week, i.e., Monday and Wednesday at 10.30 a.m, until further orders and 2 to 5 petitioners, shall appear before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

drl

21-04-2025

To

1. The Inspector of Police,
Komarapalayam Police Station,
Namakkal District.

2. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN J.

drl

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